



**Service of Process
Transmittal**

08/05/2020

CT Log Number 538045400

TO: Kim Lundy Service Of Process
Walmart Inc.
702 SW 8TH ST
BENTONVILLE, AR 72716-6209

RE: Process Served in Louisiana

FOR: Wal-Mart Stores, Inc. (Former Name) (Domestic State: DE)
WALMART INC. (True Name)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Walker Earlean, Pltf. vs. Wal-Mart Stores, Inc., Dft.

DOCUMENT(S) SERVED: -

COURT/AGENCY: None Specified
Case # 268617A

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition

ON WHOM PROCESS WAS SERVED: C T Corporation System, Baton Rouge, LA

DATE AND HOUR OF SERVICE: By Process Server on 08/05/2020 at 09:15

JURISDICTION SERVED : Louisiana

APPEARANCE OR ANSWER DUE: None Specified

ATTORNEY(S) / SENDER(S): None Specified

ACTION ITEMS: CT has retained the current log, Retain Date: 08/05/2020, Expected Purge Date: 08/10/2020
Image SOP
Email Notification, Kim Lundy Service Of Process ctlawsuits@walmartlegal.com

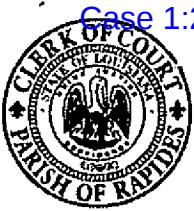
SIGNED: C T Corporation System
ADDRESS: 1999 Bryan St Ste 900
Dallas, TX 75201-3140

For Questions: 877-564-7529
MajorAccountTeam2@wolterskluwer.com

Page 1 of 1 / GP

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.

Walker, Earlean
Walmart Exhibit B



ROBIN L. HOOTER

CLERK OF COURT ✦ RAPIDES PARISH

701 Murray Street, Suite 102, Alexandria, Louisiana 71301

Phone (318) 473-8153

Fax (318) 473-4667
www.rapidesclerk.org

Civil Fax (318) 487-9361

CITATION

NO. 268,617 A

EARLEAN WALKER
VERSUS
WALMART STORES INC

|| NINTH JUDICIAL DISTRICT COURT
|| PARISH OF RAPIDES
|| STATE OF LOUISIANA

TO: WALMART STORES INC
THRU AGENT CT CORPORATION SYS 3867 PLAZA TOWER RD
BATON ROUGE LA 70816-0000
EAST BATON ROUGE PARISH

YOU ARE HEREBY SUMMONED TO COMPLY WITH THE DEMAND CONTAINED IN THE PLEADING(S) FILED IN THE ABOVE ENTITLED AND NUMBERED CAUSE, A DULY CERTIFIED COPY IS ATTACHED AND TO BE SERVED, OR FILE YOUR ANSWER OR OTHER PLEADINGS IN THE OFFICE OF THE CLERK OF THE NINTH JUDICIAL DISTRICT COURT, RAPIDES PARISH, CITY OF ALEXANDRIA, WITHIN FIFTEEN(15) DAYS AFTER SERVICE HEREOF. YOU MAY FILE YOUR WRITTEN ANSWER OR PLEADING IN PERSON OR BY MAIL. IF YOU FILE BY MAIL, THE PLEADING MUST BE RECEIVED BY THE 15TH DAY. YOUR FAILURE TO COMPLY WILL SUBJECT YOU TO THE PENALTY OF ENTRY OF DEFAULT JUDGMENT AGAINST YOU.

WITNESS THE HONORABLES, THE JUDGES OF SAID COURT, AT ALEXANDRIA, LOUISIANA,
THIS 29TH DAY OF JULY; 2020.

THE FOLLOWING PLEADINGS ARE ATTACHED FOR SERVICE: PETITION FOR DAMAGES.

BROCK DUKE
2204 MACARTHUR
ALEXANDRIA LA 71301-0000
Filing Attorney

ROBIN L. HOOTER
Clerk of Court

BY 
Deputy Clerk of Court

SHERIFF STAMP BELOW

0247264

805

CIVIL SUIT NO: 268 617 A

EARLEAN WALKER	*	9TH JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF RAPIDES
WAL-MART STORES, INC.	*	STATE OF LOUISIANA

PETITION FOR DAMAGES

NOW INTO COURT comes plaintiff, **EARLEAN WALKER**, a resident of the Parish of Rapides, State of Louisiana, who respectfully presents the following:

1.

Made defendants are:

WAL-MART STORES, INC, a foreign corporation licensed to do and/or doing business in the State of Louisiana who may be served through its agent of service of process CT Corporation System, 3867 Plaza Tower Road, Baton Rouge, Louisiana 70816;

2.

Defendants herein are individually, jointly and in solido responsible unto plaintiff for all damages enumerated herein. In addition, plaintiff is entitled to legal interest from the date of judicial demand and all costs of these proceedings.

3.

On or about October 02, 2019, plaintiff, **EARLEAN WALKER** was a customer in Walmart Supercenter, located in the town of Pineville, State of Louisiana. While walking though the store, **EARLEAN WALKER** slipped and fell in a wet substance located on the floor. The wet substance on the floor was the result of a leaking deli cooler. The wet substance was coming out from the bottom of the cooler and running onto the floor.

The defendant knew or should have known that the wet substance on the floor was an unreasonably hazardous condition that created foreseeable harm. The defendant created the condition, knew about the condition, or should have known about the condition because the deli is an area of the store that is heavily traveled, and also has a Walmart Employee present at all times for the purpose of serving deli food, who should also be checking to ensure safety of all customers.

4.

The incident was caused by the negligence and fault of defendant, **WAL-MART STORES, INC.** in the following particulars:

- a. Failure exercise reasonable care to keep the aisles, passageways and floors of the store in a reasonably safe condition.

- b. Failure to keep the floor free of the hazardous condition, the wet substance on the floor, which caused damages to the plaintiff when she slipped and fell.
- c. Failure to implement adequate cleaning procedures for the aisles within the store;
- d. Failure to recognize and timely clean the spill in question;
- e. Failure to place warning signs on the affected area;
- f. Failure to warn the plaintiff and/or customers of the existence of the affected area;
- g. Failing to make periodic inspection of the aisles, passageways and floors within the store to determine whether an unreasonably dangerous condition exists;
- h. Failure to maintain the building and more particular, the deli cooler, resulting in the leak and accumulation of water on the floor; and
- i. Other acts of negligence and fault that will be shown at the trial of this matter.

Failure to see what should have been seen.

5.

As a result of the above-described accident, plaintiff **EARLEAN WALKER** suffered injuries to her body and mind including but not limited to her left knee and shoulder.

6.

As a result of the above described accident and related injuries, plaintiff, **EARLEAN WALKER** sustained the following damages:

- a. Physical pain and suffering (past and future);
- b. Mental pain and suffering (past and future);
- c. Loss of income and earning capacity (past and future);
- d. Medical bills (past and future);
- e. Loss of enjoyment of life (past and future);
- f. Physical disability;
- g. Property damage; and
- h. Loss of use.

7.

Plaintiff claims damages from the defendants in an amount deemed reasonable in the premises.

8.

Attached are Interrogatories and Request for Production of Documents that are to be answered in accordance with the law.

WHEREFORE, plaintiff prays that her petition be filed and served upon defendants, ordering them to answer the allegations contained herein; that after legal delays and proceedings are complete, there be judgment in favor of plaintiff, **EARLEAN WALKER**, and against defendants, **WAL-MART STORES, INC.**, for damages in an amount reasonable in the

premises, together with legal interest from the date of this demand and for all costs of these proceedings.

Plaintiff further prays for all general and equitable relief.

Respectfully Submitted:

BRIAN CAUBARREAU & ASSOCIATES



BY:

EUGENE A. LEDET, JR, #19681

BRIAN M. CAUBARREAU, #21522

BROCK H. DUKE, #35763

LAURA B. KNOLL, #33689

ETHAN E. CAUBARREAU, #38694

2204 MacArthur Drive

Alexandria, Louisiana 71301

Telephone: (318) 442-0900

Facsimile: (318) 483-9993

Attorneys for Plaintiff

FILED & RECORDED
ROBIN L. HOOTER
RECORDER
2020 JUL 27 PM 1:52
BY CLERK & RECORDER
RAPIDES PARISH, LA

SERVICE INFORMATION

WAL-MART STORES, INC.

who may be served through its agent of service of process CT Corporation System, 3867
Plaza Tower Road, Baton Rouge, Louisiana 70816;

CIVIL SUIT NO: 268,617 A

EARLEAN WALKER	*	9 TH JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF RAPIDES
WAL-MART STORES, INC.	*	STATE OF LOUISIANA

INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS

TO: WAL-MART STORES, INC
 through its agent of service of process
 CT Corporation System
 3867 Plaza Tower Rd.
 Baton Rouge, Louisiana 70816

Pursuant to the Louisiana Code of Civil Procedure, plaintiff propounds to the defendant the following interrogatories and request for production of documents, to be answered separately and fully, within thirty (30) days from service, and the responses forwarded to the office of Brian Caubarreaux and Associates, 2204 MacArthur Drive, Alexandria, LA 71301, along with the documents and tangible objects requested.

DEFINITIONS

- A. "Defendant", "You" and "Your" where used in these interrogatories include and all counsel, consultants, experts, accountants, investigators, agents and other parties acting in their behalf.
- B. "Person(s)" where used in these Interrogatories include human beings, corporations, partnerships, associations, joint ventures, government agencies (Federal, State or Local), or any other organization cognizable at law and where an employee performs some task about which an inquiry is made to these Interrogatories as part of their employment. "Person(s)" includes both the employee and the employed person(s).
- C. "Document(s)" includes every writing and record of every type and description, including but not limited to letters, correspondence, telegrams, memos, notes, reports, recordings (mechanical, electronic, typed or written), transcriptions and printed, typed or written materials of every kind, including carbon, photostatic, microfilm or other copies of any of them, in the possession of, subject to the control of, or within the knowledge of the defendants (as defined in "A" above).
- D. "Tangible evidence" includes drawings, blueprints, charts, maps, graphs, photographs, video tapes, still or moving picture films, and any physical object in the possession of, subject to the control of, or within the knowledge of the defendant (as defined in "A" above).
- E. "Describe" or "identify", where used in reference to any document(s) or tangible evidence, includes stating the title or name, date, time, author of any documents, the comment name and identifying number of any object and the name and address of the person(s) having possession of such at the present time.
- F. A request to "identify" a person (as defined in "B" above) requires you to give the person(s) full name and present address, if known, or his last known address.

G. "Accident" includes any event or occurrence described by plaintiff in this lawsuit and allegedly occurring on or about DOA.

H. The male gender includes the female, and the singular pronoun includes the plural

INSTRUCTIONS

If any of these Interrogatories cannot be answered in full, answer to the extent possible, specifying the reasons for your inability to answer the remainder and stating whatever information, knowledge of belief you do have concerning the unanswered portion.

Each Interrogatory is a continuing one. If, after serving an answer to any Interrogatory, defendants obtain or becomes aware of any further information pertaining to such Interrogatory, defendants are required to serve upon plaintiff amended answers setting forth such information.

INTERROGATORY NUMBER 1:

Please state the full name, address, job title and present employer of each person answering or assisting in answering these interrogatories on behalf of the defendants.

ANSWER:

INTERROGATORY NUMBER 2:

Please list the name, address, telephone number, and other identifying information of each and every witness that you may call at the trial of this matter giving a brief description of their testimony.

ANSWER:

INTERROGATORY NO. 3:

Please state the name, address, telephone number, and other identifying information known of each and every witness and/or person having knowledge of any and all facts regarding the subject litigation, including, plaintiff(s)' injuries or the subject accident; and give a brief description of their knowledge of pertinent facts.

ANSWER:

INTERROGATORY NUMBER 4:

Please list each and every exhibit and tangible evidence, which you may use or offer, at trial.

ANSWER:

INTERROGATORY NUMBER 5:

Please state the name and address of any third party which you contend caused or contributed to the accident which is the subject of this litigation.

ANSWER:

INTERROGATORY NUMBER 6:

Please state any facts that support an allegation that the plaintiff committed omissions or acts of negligence regarding this accident.

ANSWER:

INTERROGATORY NUMBER 7:

If you contend that the plaintiff has done anything or failed to do anything that constitutes a failure to mitigate damages, please state the facts that you allege support that conclusion and the manner in which damage was allegedly not mitigated?

ANSWER:

INTERROGATORY NUMBER 8:

Please state the facts which support each and every affirmative defense asserted in your Answer to the Petition for Damages.

ANSWER:

INTERROGATORY NUMBER 9:

Please describe any self-insurance agreement, indemnity agreement, and/or insurance agreement which any insurance company and/or company may be liable to satisfy all or part of any judgment which may be entered in this action, or to indemnify or reimburse for payments made to satisfy the judgment by stating the name of the person or entity insured and the name of the insured, and the applicable limits of said insurance coverage.

ANSWER:

INTERROGATORY NUMBER 10:

Describe all policies of insurance which may provide any umbrella coverage, excess coverage, or liability coverage over and above the basic primary coverage, for the type of liability asserted in this case.

ANSWER:

INTERROGATORY NUMBER 11:

Please state completely and fully all representations, statement, declarations or admissions made by Earlean Walker.

ANSWER:

INTERROGATORY NUMBER 12:

State the name and address of any and all persons from whom oral, verbal or written statements were taken by the defendants or any of their agents, and the date any such statement was given.

ANSWER:

INTERROGATORY NUMBER 13:

Please state whether or not you have a copy of any statement, whether oral, recorded, written, or electronically stored, which plaintiff has previously made concerning this action or its subject matter which is in your possession, custody or control.

ANSWER:

INTERROGATORY NUMBER 14:

What is the defendant's factual understanding or contention regarding how the occurrence in question occurred?

ANSWER:

INTERROGATORY NUMBER 15:

Please list the name, address, telephone number, address, and job description of each and every employee and/or independent contract that was on the premise at 3636 Monroe Highway, Pineville, Louisiana at the time of the accident, and designate whether said person was an eye-witness, came upon the scene shortly after the incident, or otherwise.

ANSWER:

INTERROGATORY NUMBER 16:

Please describe any and all documents, contracts, guidelines, employee manuals, rules, policies, and/or procedures that govern the conduct of employees of Wal-Mart Supercenter at 3636 Monroe Highway, Pineville, Louisiana and provide the address of the current custodian of same.

ANSWER:

INTERROGATORY NUMBER 17:

State the name, address and telephone number of each and every investigator hired by the defendants to investigate any aspect of this case.

ANSWER:

INTERROGATORY NUMBER 18:

State the name, address and telephone number of each and every witness interviewed by any investigator or any attorney representing the defendant in connection with this case.

ANSWER:

INTERROGATORY NUMBER 19:

Please state whether you or any of your representatives have any photographs, motions pictures, and/or digital or audio tapes, video recordings, or media regarding any aspect of this litigation, including but not limited the plaintiff, *plaintiff's injuries, property damage, or surveillance of the plaintiff*. If so, provide a general description of their contents, the name and address of the individual who was responsible for taking the media, the date taken, and the address of the present custodian of those materials.

ANSWER:

INTERROGATORY NUMBER 20:

Please list the name(s), address(es), phone number(s), specialty, of each and every expert witness that you have consulted or retained, regardless of whether you may call him or her to testify at the trial of this matter:

ANSWER:

INTERROGATORY NUMBER 21:

Please state the length of time in days, minutes, hours, or weeks that the liquid substance or water was on the ground prior the incident.

ANSWER:

INTERROGATORY NUMBER 22:

Please state the name, address, phone number, job description, and employer for all persons who mopped the premises at Wal-Mart Supercenter 3636 Monroe Highway, Pineville, Louisiana, on October 2, 2019.

ANSWER:

INTERROGATORY NUMBER 23:

Please describe your normal business practices relating to mopping the premises at 3636 Monroe Highway, Pineville, Louisiana

ANSWER:

INTERROGATORY NUMBER 24:

Please state the name, address, and phone number any and all Wal-Mart Supercenter supervisors that were on duty on October 2, 2019 at the location where the subject incident occurred.

ANSWER:

INTERROGATORY NUMBER 25:

Please state the name, address, and phone number of any employees or independent contractors of Wal-Mart Supercenter that participated in filling out the incident report.

ANSWER:

INTERROGATORY NUMBER 26:

Please state the name, address, and phone number of any employee or independent contractor of Wal-Mart Supercenter, that helped Earlean Walker after the incident.

ANSWER:

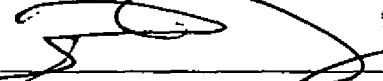
INTERROGATORY NUMBER 27:

Please list any and all documents responsive to the Request for Production of Documents, which are being withheld pursuant to claims of attorney-client privilege or work product doctrine, and give a brief description of the matter being withheld pursuant to and in accordance with La. C.C.P. Art. 1424(C).

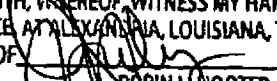
ANSWER:

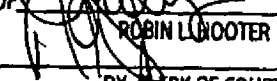
Respectfully Submitted:

BRIAN CAUBARREAU & ASSOCIATES

BY: 
EUGENE A. LEDET, JR, #19681
BRIAN M. CAUBARREAU, #21522
BROCK H. DUKE, #35763
LAURA B. KNOLL, #33689
ETHAN E. CAUBARREAU, #38694
2204 MacArthur Drive
Alexandria, Louisiana 71301
Telephone: (318) 442-0900
Facsimile: (318) 483-9993

Attorneys for Plaintiff **HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN THIS OFFICE.**

IN FAITH WHEREOF, WITNESS MY HAND AND SEAL OF OFFICE AT ALEXANDRIA, LOUISIANA, THIS
DAY OF **A.D. 20**
20

BY **Walker, Earlean**
DY. CLERK OF COURT Walmart Exhibit B

FILED & RECORDED
ROBIN L. HOOTER
RECORDER
2020 JUL 27 PM 4:52
DY CLERK & RECORDER
RAPIDES PARISH, LA